

through the years, and the financial contributions the opponents had made, and could make in the future, to Democratic candidates and organizations.

The timing of the MAO recommendation adds context to this particular strategy: the recommendation was issued on Nov. 15, 1994, just a week after the mid-term elections in which the Democrats, for the first time in decades, had lost control of Congress. The day after the area office issued its recommendation, Kitto sent a lengthy memo to his tribal clients regarding the “Impact of national elections on Tribal gaming.” The first numbered paragraph of the memo reads: “The Democrats are no longer in control.” After outlining the various changes in committee leadership positions and the implications of those changes for the Minnesota tribes, Kitto wrote:

Building an ongoing relationship with the White House will prove to be helpful. . . . Tribes may need to use the White House to deliver policy messages about Indian affairs or Tribal gaming to the new Congressional leadership.

Kitto emerged as one of the key players in coordinating the opposition by the Minnesota and Wisconsin tribes.¹²⁴ His own tribal clients included Wisconsin’s St. Croix, and Minnesota’s Prairie Island, Upper Sioux, Leech Lake, and Mille Lacs. According to Kitto’s deposition testimony, there “absolutely” was a coordinated lobbying effort by the opposing tribes to defeat the Hudson casino application.¹²⁵ Kitto disclaimed that there was a single person responsible for

¹²⁴Kitto was severely ill and was never available for interview or examination during the pendency of this investigation. He died on July 9, 1999. His recollection of facts relating to these matters has been gleaned from four days of deposition testimony in connection with civil litigation over the Hudson matter, as well as from his documents.

¹²⁵*Four Feathers v. City of Hudson* Deposition of Larry Kitto, April 17, 1997, at 189-90 (hereinafter “Kitto *Four Feathers* Dep., April 17, 1997”).